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	10	NEC ELECTRONICS CORFORATION and NEC ELECTRONICS AMERICA, INC.		
	11	UNITED STATES DISTRICT COURT		
	12	NORTHERN DISTRICT OF CALIFORNIA		
101 California Street Francisco, CA 94111-	13	OAKLA	AND DIVISION	
Califor isco, (14	IN RE STATIC RANDOM ACCESS) Case No.: M:07-cv-1819 CW	
101 (Franc	15	MEMORY (SRAM) ANTITRUST LITIGATION) MDL No. 1819	
San	16	LITIGATION)	
	17		DECLARATION OF PATRICK M. RYANIN SUPPORT OF DEFENDANTS'	
	18	This Document Relates To:	MOTION FOR ADMINISTRATIVERELIEF FOR LEAVE TO FILE A	
	19	All Indirect Purchaser Actions	SUPPLEMENTAL BRIEF REGARDINGINACCURATE STATEMENTS AND NEW	
	20) ISSUES RAISED AT THE HEARING ON) CLASS CERTIFICATION	
	21)	
	22) Judge: Hon. Claudia Wilken)	
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	28	RVAN DECLADATION IN SUDDOPT OF DEFEND	1 ANTS' MOTION FOR LEAVE TO FILE A SUPPLEMENTAL	
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Winston & Strawn LLP

RYAN DECLARATION IN SUPPORT OF DEFENDANTS' MOTION FOR LEAVE TO FILE A SUPPLEMENTAL BRIEF REGARDING INACCURATE STATEMENTS AND NEW ISSUES RAISED AT THE CLASS CERTIFICATION HEARING M:07-cv-1819 CW

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I, Patrick M. Ryan, declare as fo	Hows
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- I am a member in good standing of the State Bar of California and a Partner with Winston & Strawn LLP, attorneys for defendants NEC Electronics America, Inc. and NEC Electronics Corporation in the above-entitled action. I have personal knowledge of the facts set forth herein, except where noted, and, if called to testify, could and would competently testify thereto. I make this declaration in support of Defendants' Motion for Administrative Relief for Leave to File a Supplemental Brief Regarding Inaccurate Statements and New Issues Raised at the Class Certification Hearing ("Motion").
- Attached as Exhibit A hereto is a true and correct copy of [Proposed] Defendants' Supplemental Brief Regarding Inaccurate Statements and New Issues Raised at the Hearing on Class Certification ("Supplemental Brief"). Defendants seek leave to file this Supplemental Brief and request that the Supplemental Brief be deemed filed nunc pro tunc as of the date of the filing of the Motion, September 16, 2009.
- On Friday, September 11, 2009, I contacted Mr. Francis O. Scarpulla at Zelle Hofmann Volbel & Mason, Interim Lead and Liaison Counsel for Indirect Purchaser Plaintiffs, by e-mail to inform him of Defendants' desire to file a supplemental brief to address inaccurate statements made at the hearing on class certification and issues raised by the Court during the hearing that were not briefed by either side. In the e-mail, I proposed a stipulated agreement to the filing of the supplemental brief and informed Mr. Scarpulla that Defendants will stipulate to Plaintiffs' right to file a response to the supplemental brief, if desired by Plaintiffs.
- 4. Between September 11, 2009 and Monday, September 14, 2009, Mr. Scarpulla communicated to my partner, Paul Griffin, that Plaintiffs were also considering filing a supplemental brief because issues had been raised at the hearing that had not been briefed.
- Mr. Griffin informed me of the conversation with Mr. Scarpulla and instructed me to send Mr. Scarpulla a draft stipulation and order for the filing of supplemental briefs by the parties for his review and approval. The proposed draft stipulation allowed for both sides to file supplemental briefs on the same day, Wednesday, September 16, 2009.

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- 6. Mr. Scarpulla stated that he would take up the issue of the stipulation with other Plaintiffs' counsel.
- 7. On Wednesday, September 16, 2009, Mr. Scarpulla informed Mr. Griffin that Plaintiffs will not stipulate to the filing of a supplemental briefs.
- 8. Attached as Exhibit B hereto is a true and correct copy of the e-mail chain between Mr. Scarpulla and me regarding the filing of supplemental briefs.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed September 16, 2009, in San Francisco, California.

/s/ Patrick M. Ryan
Patrick M. Ryan

I, Sean D. Meenan, hereby attest, pursuant to N.D. Cal. General Order No. 45, that the concurrence to the filing of this document has been obtained from each signatory hereto.

/s/ Sean D. Meenan Sean D. Meenan